IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE R.SUBHASH REDDY**

**WRIT PETITION NO : 3254 of 1996**

Between:

Vemula Krishna Murthy, S/o Narasaih,

Aged about 71 years, occupation: Ex.Freedom

Fighter and Agriculture, R/o H.No.1-5-189, Anthakpet,

Near Bharat Talkies, Karimnagar District.

**..... PETITIONER**

AND

1. The Deputy Secretary, Ministry of Home Affairs,

Government of India, Freedom Fighters Division,

Ist Floor, Lok Nayak Bhavan, New Delhi.

2. Sri Govind Bhai Sharoff, Chairman, Screening

Committee, Freedom Struggle Fighters, Saraswathi

Bhavan, Aurangabad, Maharashtra.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus by declaring the impugned action of the 1st respondent herein in not forwarding his application to the 2nd respondent for grant of pension under Swathanthra Sainik Sanman Pension Scheme as illegal, arbitrary, void

abentio and violative of principles of natural justice and further, this Court may be pleased to direct the 1st respondent herein to forward the application of the petitioner in File No.112/968/93-FF (HC) to the 2nd respondent herein for considering his application and recommend the same for grant of pension under Swathantra Sainik Sanman Pension Scheme and pass such other order or orders.

**Counsel for the Petitioner: MR. A.RAVINDER**

**Counsel for the Respondent NO.1: THE STANDING COUNSEL AND GP FOR EDUCATION**

**Counsel for the Respondent No.2: SRI K.RMAULU**

**The Court made the following:**

**ORDER**:

This writ petition is filed, seeking writ of Mandamus, to declare the action of the first respondent in not forwarding his application to the second respondent to consider the same for grant of pension under Swathanthra Sainik Sanman Pension Scheme, as illegal and arbitrary.

At the stage of admission, this Court by an interim order dated 23.02.1996 in W.P.M.P.No.3931 directed the first respondent to forward the application of the petitioner to the second respondent to place it before the meeting going to be convened on 10.03.1996 to consider the same for grant of pension under the above said scheme.

The prayer sought for in the present writ petition and the relief granted in the above said W.P.M.P. are one and the same. In that view of the matter, the order dated 10.03.1996 in W.P.M.P.No.3931 of 1996 shall be treated as final order in this writ petition.

The writ petition is accordingly disposed of. No order as to costs.

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**R.SUBHASH REDDY, J**

31.12.2004

dr

To

1. The Deputy Secretary, Ministry of Home Affairs,

Government of India, Freedom Fighters Division,

Ist Floor, Lok Nayak Bhavan, New Delhi.

2. The Chairman, Screening

Committee, Freedom Struggle Fighters, Saraswathi

Bhavan, Aurangabad, Maharashtra.

3 2CD copies

4 2CCs to Government Pleader for Revenue, High Court

Buildings, Hyderabad. (OUT)